

AO 91 (Rev. 08/09) Criminal Complaint

Felony

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America
v.
Juan BERRONES
YOB: 1991, Mexican Citizen

Case No.

B-14-747-MJ

United States District Court
Southern District of Texas
FILED

Defendant(s)

AUG 13 2014

CRIMINAL COMPLAINT**David J. Bradley, Clerk of Court**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 11, 2014 in the county of Cameron in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 922(g)(5)(A)	Unlawful Possession of Firearm by an Illegal Alien
18 U.S.C. 371	Conspiracy to Commit a Federal Crime
18 U.S.C. 924(a)(1)(A)	Knowingly Making a False Representation
18 U.S.C. 2	Aiding and Abetting

This criminal complaint is based on these facts:

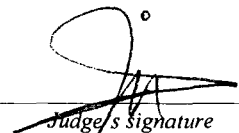
See Attachment A

☒ Continued on the attached sheet.*Complainant's signature*

Jose A. Joya, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/13/2014City and state: Brownsville, Texas*Judge's signature*

United States Magistrate Judge Ignacio Torteya III

Printed name and title

B-14-747-MJ

ATTACHMENT A

The facts establishing the foregoing issuance of an arrest warrant are based on the following:

I, Special Agent Jose Alfonso Joya, affiant, do hereby depose and state the following:

1. I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives. I have been a law enforcement officer for one year.
2. My duties include the investigation of violations of the federal firearm laws. I know it to be unlawful for any person who has is an illegal alien to receive or possess a firearm or ammunition.
3. On August 11, 2014, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Special Agents (SA) J. Joya and K. Wiest conducted an interview of Vanessa CASIANO at Alta Vista Rehabilitation and Healthcare Center, located at 510 Paredes Line Road, Brownsville, TX. SAs also interviewed Juan BERRONES, at 3775 Boca Chica Boulevard Apt.#2411, Brownsville, TX. This actions resulted in the apprehension of one undocumented alien, found to be unlawfully in possession of one firearm described as a RUGER, model SR40C, .40 caliber pistol with serial number (S/N): 343-94173.
4. On or about May 5, 2014, Vanessa CASIANO purchased a RUGER model SR40C caliber .40 pistol with serial number (S/N): 343-94173, at Academy Sports and Outdoors, (a Federal Firearms Licensee, within the Southern District of Texas) 4305 Old Highway 77, Brownsville, TX 78520.
5. On August 11, 2014, SAs Joya and Wiest attempted to conduct an interview with Vanessa CASIANO regarding her recent firearm purchase at Vanessa CASIANO's listed residence, [REDACTED] Brownsville, TX 78521. However, SAs were unable to speak with anybody. SA Joya left his business card along with his contact information for future contact with Vanessa CASIANO at the residence. SA Joya and Wiest then departed the area.
6. SAs Joya and Wiest proceeded to attempt to locate Vanessa CASIANO, at Vanessa CASIANO's previously listed address, [REDACTED] Brownsville, TX 78521. Upon arrival at the location, SAs encountered Vanessa CASIANO's parents, Jesus Sabanero and Juana Casiano. SAs were advised by Sabanero and Juana Casiano that Vanessa CASIANO had recently "straw" purchased a Ruger pistol for her boyfriend, Juan BERRONES. Sabanero and Juana Casiano also informed SAs that Juan BERRONES had instructed Vanessa CASIANO to "straw" purchase a firearm for BERRONES because BERRONES cannot legally purchase or possess a firearm because BERRONES is an illegal alien, illegally present in the United States of America. Sabanero and Juana Casiano stated that BERRONES had previously informed them that BERRONES is an illegal alien, who was born in Matamoros, Tamaulipas, Mexico, who is illegally

B-14-747-MJ**ATTACHMENT A**

present in the United States of America. Sabanero and Juana Casiano informed SAs that Vanessa CASIANO could be contacted at her workplace, Alta Vista Rehabilitation & Healthcare, 510 Paredes Line Road, Brownsville, TX.

7. SAs Joya and Wiest located and interviewed Vanessa CASIANO at her workplace, Alta Vista Rehabilitation & Healthcare. Prior to the interview, SAs advised Vanessa CASIANO that she was not under arrest and could terminate the conversation at any time. Vanessa CASIANO stated that she understood and was willing to speak with SAs. During the interview of CASIANO, she readily admitted to ATF Special Agents that BERRONES and Vanessa CASIANO conspired to "straw" purchase a firearm for BERRONES. That BERRONES had provided the monetary funds and had provided instructions to Vanessa CASIANO on what firearm to purchase for BERRONES. Vanessa CASIANO also stated that Vanessa CASIANO and BERRONES were fully aware that BERRONES is an illegal alien, illegally present in the United States of America, who is prohibited from possessing a firearm.
8. Vanessa CASIANO stated that upon purchasing the firearm, she transferred possession of the firearm to BERRONES. Vanessa CASIANO and BERRONES then proceeded to an unknown ranch in Brownsville, TX, where BERRONES used the firearm to shoot target practice. Vanessa CASIANO and BERRONES had agreed that Vanessa CASIANO should accompany BERRONES whenever BERRONES transported the firearm. Vanessa CASIANO explained that by accompanying BERRONES, she would lie to any law enforcement entity by claiming possession of the firearm. SAs questioned Vanessa CASIANO where the firearm was currently located and Vanessa CASIANO stated that the firearm was located in Vanessa CASIANO's apartment bedroom located at [REDACTED], Brownsville, TX 78521. SAs requested consent to search Vanessa CASIANO's apartment in order to seize the firearm based on the statements she had made. Vanessa CASIANO provided oral and written consent, granting SAs permission to enter her apartment.
9. During the subsequent consent search of Vanessa CASIANO's apartment, one RUGER model SR40C caliber .40 pistol with serial number (S/N): 343-94173, was discovered in Vanessa CASIANO's and BERRONES' bedroom closet. SAs seized the firearm and proceeded to make arrangements to contact BERRONES for a follow-up interview.
10. Approximately twenty minutes after SAs seized the firearm from Vanessa CASIANO, SA Joya was contacted by BERRONES via telephone. BERRONES agreed to meet SAs at his current address, [REDACTED], Brownsville, TX 78521.
11. At the start of the interview with BERRONES, SA Wiest advised BERRONES he was not under arrest and could terminate the conversation at any time. BERRONES consented and agreed to

B-14-747-MJ**ATTACHMENT A**


talk with SAs in regards to his firearm(s) possession and involvement in a suspected "straw" purchase. During the interview of BERRONES, he readily admitted to to ATF Special Agents that Vanessa CASIANO had "straw" purchased the firearm for BERRONES. That BERRONES was fully aware that he cannot possess or purchase a firearm because he is a Mexican National, who is illegally present in the United States of America.

12. BERRONES stated that on May 5, 2014, BERRONES instructed Vanessa CASIANO to accompany BERRONES to Academy Sports and Outdoors, 4305 Old Highway 77, Brownsville, TX 78520, in order to "straw" purchase a firearm for BERRONES. That BERRONES gave Vanessa CASIANO instructions on what firearm to "straw" purchase as well as the monetary fund that were to be used towards the "straw" purchase. BERRONES also stated that upon completion of the sale, Vanessa CASIANO transferred possession of the "straw" purchased firearm to BERRONES, which BERRONES used for target practice at an unknown ranch, in Brownsville, TX. BERRONES also admitted that Vanessa CASIANO and BERRONES had agreed that Vanessa CASIANO would falsely claim possession of the firearm if questioned by any law enforcement entity.
13. SAs asked BERRONES if he handled the firearm at the Academy Sport and Outdoors store prior to the sale. BERRONES stated that he had handled the firearm in order to decide which firearm BERRONES wanted Vanessa CASIANO to "straw" purchase for him. BERRONES made several statements that he was aware and understood that he was not to be in possession of any kind of firearm due to his immigration status. But, that BERRONES had convinced Vanessa CASIANO to "straw" purchase a firearm for BERRONES because he wanted a firearm.
14. Due to the facts derived from the interviews of Vanessa CASIANO and Juan BERRONES, SAs believe that BERRONES violated the following federal statutes: 18 U.S.C. 922(g)(5)(A), 18 U.S.C. 371, 18 U.S.C. 924(a)(1)(A), and 18 U.S.C. 2.
15. SAs seized the RUGER model SR40C caliber .40 pistol with serial number (S/N): 343-94173, and apprehended BERRONES for said violations.



Jose A. Joya, Special Agent, ATF

SWORN TO BEFORE ME AND SIGNED IN MY PRESENCE THIS 13th DAY OF AUGUST, 2014.



Ignacio Torteya, III
United States Magistrate
Brownsville, Texas